

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 2

January 15, 2002

SUBJECT: PERSONAL SERVICE CITATION, FORM 04.50.0 - REVISED AND RENAMED, AND CONTINUATION OF NOTICE TO APPEAR, FORM 04.50.5 - REVISED

PURPOSE: The Judicial Council of California mandated the implementation of Forms TR-110 (Traffic Notice to Appear) and TR-106 (Continuation of Notice to Appear) by all California law enforcement agencies. This requirement has necessitated the revision of various Department forms to conform to those of the State. This Order revises and renames the Personal Service Citation, Form 04.50.0, and revises the Continuation of Notice to Appear, Form 04.50.5.

PROCEDURE:

I. PERSONAL SERVICE CITATION, FORM 04.50.0 - REVISED AND RENAMED.

The Personal Service Citation, Form 04.50.0, is revised and renamed Traffic Notice to Appear.

A. Use of Form. The use of this form has not changed.

B. Completion. Current completion procedure remains in effect, with the following revisions and additions:

- * In the space provided for entering violations, officers shall circle the "M" or "I" to denote whether a violation is a misdemeanor or an infraction;
- * In the spaces provided, the "safe" (as defined in Vehicle Code Section 22350) and "radar" speeds shall be completed, if applicable;
- * In the spaces provided, the name of the arresting officer shall be completed if different from the citing officer, and the date indicated if the citation is being issued on a date other than the actual date of the violation;

Note: The actual date of the violation shall be completed in the space provided on the top portion of the citation.

- * The court date for both adult and juvenile traffic defendants shall be assigned utilizing the Citation Guide, Form 16.65.0;
- * When requested by the defendant, officers shall cite the defendant to a traffic court located nearest to the defendant's place of residence or principal place of

employment, provided such location appears on the citation.

Note: When a court of proper jurisdiction is not printed on the citation (e.g., a new court established or an address change), the issuing officer shall write such location in the space provided.

- * Officers issuing a Traffic Notice to Appear to a juvenile shall circle either 8:30 a.m. or 1:30 p.m. for the appearance time; and,

Note: Per Manual Section 4/320.45, officers issuing citations to juveniles between 0600 hours and 1800 hours shall cite the juveniles to the 1:30 p.m. session of the Informal Juvenile and Traffic Court. Officers issuing citations to juveniles between 1800 hours and 0600 hours shall cite the juveniles to the 8:30 a.m. session of the Informal Juvenile and Traffic Court.

- * The check box "to be notified" shall not be used.

C. Distribution.

- 1 - Original (green), submitted to the Traffic Court Liaison Unit (TCLU)
- 1 - Copy (white) given to the defendant in the field by the issuing officer
- 1 - Copy (goldenrod) remains in the citation book

3 - TOTAL

Note: When a juvenile is cited on a Traffic Notice to Appear, the issuing officer shall make a photocopy of the citation and attach it to his/her Daily Field Activities Report, Form 15.52.0. The reviewing supervisor shall forward the photocopy to Information Technology Division, Data Entry.

II. CONTINUATION OF NOTICE TO APPEAR, FORM 04.50.5 - REVISED. The Continuation of Notice to Appear, Form 04.50.5, is revised.

A. Use of Form. The use of this form has not changed.

B. Completion. Current completion procedure remains in effect, with the following revisions and additions:

- * Officers issuing a Continuation of Notice to Appear

shall enter the case number (e.g., DR.No.), if applicable;

- * In the space provided for entering violations, officers shall circle the "M" or "I" to denote whether a violation is a misdemeanor or an infraction; and,
- * In the spaces provided, the name of the arresting officer shall be completed if different from the citing officer, and the date indicated if the citation is being issued on a date other than the actual date of the violation.

Note: The actual date of the violation shall be completed in the space provided on the top portion of the form.

C. Distribution.

- 1 - Original (green), shall be attached to the back of the Traffic Notice to Appear (green) by stapling in the lower left corner
- 1 - Copy (white) shall be given to the defendant
- 1 - Copy (goldenrod) shall be stapled to the book copy of the Traffic Notice to Appear (goldenrod)

3 - TOTAL

FORMS AVAILABILITY: The Traffic Notice to Appear, Form 04.50.0, and the Continuation of Notice to Appear, Form 04.50.5, will be available for ordering from the Department of General Services, Distribution Center, in about 90 days. Copies of the revised forms are attached for reference. Department personnel shall continue to use the Personal Service Citation, Form 04.50.0, and the Continuation of Notice to Appear, Form 04.50.5, until the revised forms are available.

AMENDMENTS: This Order amends Sections 3/202.70, 4/318.10, 4/318.80, 4/320.18, 4/320.30, 4/320.37, 4/320.45, 4/320.46, 4/320.57, 4/320.65, 5/04.50.0, and 5/04.50.5; and adds Section 4/320.48 to the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Uniformed Services Group, shall monitor compliance with this directive in accordance with Manual Section 0/080.30.

BERNARD C. PARKS

Chief of Police

Attachments

DISTRIBUTION "A"